THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1426 of 2007

Dated: 08.02.2007

Between:

Reddirajula Srinivas.

..... PETITIONER

AND

The District Collector (LA), Warangal, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.1426 of 2007

ORDER:

It is the case of the petitioner that his grandfather was issued laoni patta in respect of land admeasuring Ac.0.21 gts in

survey No.654/73 and his father purchased land admeasuring Ac.0.08 gts in survey No.654/79 and Ac.0.10 gts in survey No.654/83 situated at Kamareddigudem, Hamlet of Devaruppala Village and Mandal, Warangal District. After death of his grand father, his father was statedly issued pattadar passbooks and title deeds. His father died seven years ago and the petitioner made an application to grant mutation in his favour. Third respondent initiated action and issued a notice dated 04.12.2006 calling upon the petitioner as to why action should not be taken against him for encroaching upon the Government land by destroying the tombs and cutting the trees. The petitioner submitted his explanation on 11.12.2006 and the enquiry is still pending. It is alleged that third respondent conducted survey on 20.01.2007 without any notice to the petitioner and fixed the boundary stones by use of force. Aggrieved by the same the petitioner filed instant writ petition for declaration and for consequential direction not to interfere with his possession.

The matter was initially listed on 25.01.2007. To enable the learned Assistant Government Pleader for Revenue (General-T) to get instructions in the matter, the matter was adjourned. In spite of granting sufficient time, the learned Assistant Government Pleader is not able to get instructions from the respondents. Be that as it is, the allegation that the enquiry is still pending before third respondent pursuant to the show-cause notice in Rc.No.B/7455/06 dated 04.12.2006 is not denied. Therefore, it is observed that unless and until the enquiry is completed and appropriate orders are passed by third respondent, the petitioner shall not be dispossessed from the land.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(**V.V.S.RAO, J**)

08th February, 2007
Note: Issue CC by 12.02.2007.
B/o
ghn